

Please type a plus (+) inside this box



PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	7914-100-999	Total Pages	34
	First Named Inventor or Application Identifier			
	Ezio BOMBARDELLI <i>et al.</i>			
	Express Mail Label No.	N/A		
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	Address to: <b>Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450</b>			

1. ☒ Fee Transmittal Form  
*(Submit an original, and a duplicate for fee processing)*
2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 31]  
*(preferred arrangement set forth below, MPEP 1503.01)*
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 1]
5. ☒ Oath or Declaration [Total Sheets 2]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statement verifying identity of above copies



#### ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
*(when there is an assignee)*
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:


18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) | of prior application No.: 09/902,226 filed July 11, 2001.

Prior application information: Examiner: M. Flood Group Art Unit: 1654

**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**

#### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number		20582	or <input type="checkbox"/> Correspondence address below	
<i>Insert Customer No. or Attach bar code label here</i>				
NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner M. Flood

Art Unit 1654

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/902,226 filed on July 11, 2001.

of Ezio BOMBARDELLI and Bruto GABETTA

(inventor(s) currently of record in prior application)

for SOYA EXTRACT, PROCESS FOR ITS PREPARATION AND PHARMACEUTICAL COMPOSITION

(title of invention)

1. ☒ The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

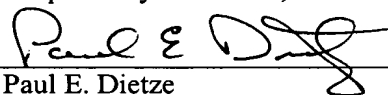
TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	10	- 20	0	\$18.00 each	\$ 0.00
Independent	3	- 3	0	\$84.00 each	\$ 0.00
Minimum Fee					\$ 750.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$ 750.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
<b>Total Filing Fee</b>					\$ 750.00

2. ☒ Please enter the Preliminary Amendment submitted herewith before calculating the fees due.
3. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. 197 32 866.0, filed on July 30, 1997 in Germany; application no. 197 32 855.5, filed on July 30, 1997 in Germany; application no. 197 32 822.9, filed on July 30, 1997 in Germany is claimed under 35 U.S.C. §119.
- 5b. ☒ The certified copy has been filed in prior application no. 09/492,921, filed January 28, 2000.

6. ☒ The prior application is assigned of record to Indena SpA by virtue of an assignment executed on February 29, 2000 and recorded on April 11, 2000 at Reel 010753/Frame 0223 in prior application no. 09/492,921, filed January 28, 2000.
- 7a. ☒ The Power of Attorney appears in the original papers in prior application no. 09/492,921, filed January 28, 2000.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction: Preliminary Amendment and Information Disclosure Statement

Date June 30, 2003

Respectfully submitted,



Paul E. Dietze  
PENNIE & EDMONDS LLP  
1667 K Street N.W.  
Washington, DC 20006  
(202) 496-4400

(Reg. No. 45,627)

For: Thomas G. Rowan  
PENNIE & EDMONDS LLP  
1155 Avenue of The Americas  
New York, NY 10036-2711  
(212) 790-9090

(Reg. No. 34,419)